

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

IN RE ZETIA (EZETIMIBE) ANTITRUST
LITIGATION

This document relates to:

Direct Purchaser Actions

MDL No. 2:18-md-2836

**ORDER GRANTING DIRECT PURCHASER PLAINTIFFS FWK HOLDINGS, LLC,
ROCHESTER DRUG COOPERATIVE, INC., AND CESAR CASTILLO, LLC'S
MOTION TO JOIN ADDITIONAL PLAINTIFFS, TO AMEND THE COMPLAINT,
AND TO MODIFY THE SCHEDULING ORDER**

WHEREAS, direct purchaser plaintiffs FWK Holdings, LLC, Rochester Drug Cooperative, Inc., and Cesar Castillo, LLC (the “original direct purchasers”) have moved this Court for an order granting them leave to amend the operative direct purchaser complaint pursuant to Rule 15(a)(2) to add as additional plaintiffs McKesson Corporation, AmerisourceBergen Corporation, AmerisourceBergen Drug Corporation, H.D. Smith, LLC, Smith Medical Partners, LLC, Valley Wholesale Drug Company, LLC, Cardinal Health, Inc., The Harvard Drug Group, L.L.C., Cardinal Health P.R. 120, Inc., Meijer, Inc., Meijer Distribution, Inc., SUPERVALU, Inc., Wegmans Food Markets, Inc., KPH Healthcare Services, Inc. a/k/a Kinney Drugs, Inc., and MLI RX, LLC (the “joinder plaintiffs”); joining the joinder plaintiffs with the original direct purchasers in these proceedings pursuant to Rule 20(a)(1), and modifying the scheduling order pursuant to Rule 16(b)(4);

IT IS HEREBY ORDERED THAT:

Leave to amend the complaint to add McKesson Corporation, AmerisourceBergen Corporation, AmerisourceBergen Drug Corporation, H.D. Smith, LLC, Smith Medical Partners, LLC, Valley Wholesale Drug Company, LLC, Cardinal Health, Inc., The Harvard Drug Group,


L.L.C., Cardinal Health P.R. 120, Inc., Meijer, Inc., Meijer Distribution, Inc., SUPERVALU, Inc., Wegmans Food Markets, Inc., KPH Healthcare Services, Inc. a/k/a Kinney Drugs, Inc., and MLI RX, LLC (the “joinder plaintiffs”) as plaintiffs is GRANTED;

The motion to join the joinder plaintiffs with the original direct purchasers in these proceedings is GRANTED; and

The motion to modify the scheduling order to permit the amendment to the operative complaint and determine the timing of Rule 26 disclosures, any discovery sought by the defendants, the filing of any necessary motions, and any other appropriate matters related to the joinder plaintiffs is GRANTED.

The parties are directed to meet and confer regarding the schedule for remaining discovery to accommodate the trial set to begin **April 5, 2023**. If the parties cannot agree, they shall brief their respective positions for resolution by the Magistrate Judge at the hearing presently scheduled for **August 17, 2022**.

SO ORDERED.

/s/ 
Rebecca Beach Smith
Senior United States District Judge

Honorable Rebecca Beach Smith
UNITED STATES DISTRICT JUDGE

Dated: July 22, 2022